

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Yasuhiro NISHITANI et al. : **Mail Stop: PCT**  
Serial No. NEW : Attorney Docket No. 2006\_1259A  
Filed September 1, 2006 :  
3-PYRIDINIUM METHYL  
CEPHEM COMPOUND :  
[Corresponding to PCT/JP2005/003565  
Filed March 3, 2005]

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application  
PCT/\_\_\_\_\_; and/or
- ☐ each reference previously cited in prior parent application Serial No.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the  
above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☒ a foreign patent office search report (International Search Report) (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☒ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report (International Search Report) citing one or more of the references is enclosed.

Respectfully submitted,

Yasuhiro NISHITANI et al.

By:



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September 1, 2006

AP5 Rec'd PCT/PTO 01 SEP 2006

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: September 1, 2006

ATTY DOCKET NO.  
2006\_1259ASERIAL NO.  
NEW

10/591398

APPLICANT  
Yasuhiro NISHITANI et al.FILING DATE  
September 1, 2006

GROUP

## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER | DATE   | NAME          | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|----------------------|----|--------------------|--------|---------------|-------|----------|-------------------------------|
|                      | AA | 4,457,928          | 7/1984 | Teraji et al. |       |          |                               |
|                      | AB | 4,463,000          | 7/1984 | Teraji et al. |       |          |                               |
|                      | AC | 4,431,642          | 2/1984 | Teraji et al. |       |          |                               |
|                      | AD | 5,389,627          | 2/1995 | Kim et al.    |       |          |                               |
|                      | AE |                    |        |               |       |          |                               |
|                      | AF |                    |        |               |       |          |                               |
|                      | AG |                    |        |               |       |          |                               |
|                      | AH |                    |        |               |       |          |                               |
|                      | AI |                    |        |               |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT<br>NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION<br>YES NO |  |
|--|----|--------------------|---------|---------|-------|----------|-----------------------|--|
|  | AJ | 58-41887           | 3/1983  | Japan   |       |          |                       |  |
|  | AK | 92/21683           | 12/1992 | WO      |       |          |                       |  |
|  | AL | 5-222058           | 8/1993  | Japan   |       |          |                       |  |
|  | AM | 2-117678           | 5/1990  | Japan   |       |          |                       |  |
|  | AN | 94/29321           | 12/1994 | WO      |       |          |                       |  |

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

|  |    |  |
|--|----|--|
|  | AO |  |
|  | AP |  |
|  | AQ |  |

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.